



THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Monday, November 21, 2022 6:00 pm

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is November 21, 2022 and the time is 6:04 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE proposed introductory Local Law Amending Section 9-68 of the City of Poughkeepsie Code Entitled "Solid Waste Collection Fees"

Councilwoman-At-Large Cherry called the meeting to order at 6:08 pm.

I. WELCOME

II. ROLL CALL: 6 present, 2 absent (Late arrival: Councilmembers Long & Thompson)

III. PUBLIC PARTICIPATION: Five (5) minutes per person public comment.

1. Nick Kalogris – 14 Maryland Ave.
2. Laurie Sandow – S. Grand Ave. – submitted written comments
3. Naomi Brooks – S. Grand Ave. – submitted written comments
4. Constantine (Gus) Kazolias – Noxon Rd.

Time and again, at various Common Council meetings and public hearings, I note that the erosion of democratic norms is growing ever-more entrenched and epidemic in this City's sadly dysfunctional, backroom world. One of the most disturbing achievements by both Administration and Council has been discouraging public information and participation. As a result, large numbers of this City's most concerned and involved residents have thrown up their hands in disgust and turned away from information and participation—exactly the disaffection and lack of knowledge the Administration and Council both want.

Certain councilmembers have a habit of showing up late or not at all at public hearings, as if their attendance was optional. I am not aware that a single councilmember has gone on the public record about their own knowledge and position regarding “Solid Waste Collection Fees”, nor workshopped the issue with their constituents, nor even taken the trouble to share information with their constituents—let alone detailed information—about tonight's hearing.

Constituents don't get paid to be informed about Council issues—councilmembers do, whether or not they actually inform themselves on the issues, whether or not they inform their constituents, and whether or not they actually show up for any given meeting, caucus or executive session. Though tonight's public hearing is not Freedom of Information Law (FOIL)-specific, that law reads, in part: “The people's right to know the process of government decision making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.”

Yet it's both our own Administration, as well as our own Council, that functions in a manner that promotes, rather than reduces, such secrecy, confidentiality and public disaffection. This so-called public hearing is taking place now, but tonight's Council meeting agenda already includes a consent agenda item passing the resolution. Is there a point to tonight's hearing other than fulfilling a legal obligation? As I have before, I once again call on our electeds, both Administration and councilmembers, to honor their sworn oaths to serve the public. That concludes my comments at tonight's sham public hearing.

My first, overall comment, is that if this local law amendment was discussed during a Common Council meeting, I couldn't find it online. I see that tonight it will be under a *consent* agenda, which means the public can't hear what issues may have been raised, who raised them, and if and how they were resolved. Therefore I may be bringing up points that have already been discussed, which is a frustrating misuse of your time and mine. **In response, Counsel Valk stated that Dr. Martinez presented the change at the Oct 3 CC meeting. I re-watched that presentation; the only changes he covered were quarterly bills (vs. single bill with quarterly payments due), late fees, and online payment options. None of the language changes I discuss below were covered either during his presentation nor were any discussed at the subsequent Oct 17 CC meeting before opening this public hearing.*

But here we are, so:

It sounds like the annual determination of fees is set in the yearly budget, proposed by the Mayor and approved by the Common Council. I couldn't tell if the budget also includes specifics covering sections (f), for-profit and section (g) not-for-profit property owners. The proposed amendment removes separate Common Council approval of those two fee schedules, so I am hoping the actual formula of volume and time requirement is included in the city budget. Having it there would continue to provide a way for the Common Council to exercise shared authority, which is how our government model has been described. One typo in the last sentence of section (f) says "collegian" instead of "collection".

Late fees currently listed on the website say 10%, but does not say if they accrue monthly or annually. The change to 2% per month brings the late fees' *annual* rate substantially higher than owners may be expecting. I brought this point up when the property tax late fees were changed. In that case, owners who had been paying quarterly property tax were now charged interest if they didn't pay monthly, and the interest rates resulted in a much higher annual fee and an unpleasant surprise.

Liens on unpaid fees now have the addition of the word "may" under enforcement. It is unclear if that means the enforcement is at someone's discretion and perhaps will *not* be enforced? Or does it mean the lien "shall" be enforced? The language should be clear. **Clarification at the Nov 21 meeting indicated liens could not be enforced on tax-exempt properties. Language should be changed to include this exception, instead of having the nebulous word "may".*

Exemptions for enhanced STAR or low-income owners – my question is the same about the fees list under for-profit and non-profit owners. Are the actual dollar amounts or formula spelled out in the city budget?

Was an exemption for veterans discussed?

Why aren't these exemption qualifications and formulas, late fee structures, and lien processes for all three types city billings - that is, property, water/sewer, and sanitation - be the same? Is this amendment moving towards that goal? It is very confusing to find out different rules apply for different bills.

And finally, owners who occupy one unit of a two or three family residence where the other units are vacant will be paying the same fees as a single-family residence, based on certification by the Commissioner and an inspection. This doesn't seem like a good use of our resources, especially if that certification occurs once a year – one moment in time - likely not accurately assessing the occupancy rate of such buildings over the course of a full year. Is this truly such a common occurrence in a city with a housing crisis? Why has this exemption been included?

Thank you once again for the time you spend sharpening and modifying our city laws.

*Official Minutes of the Public Hearing of November 21, 2022 for the purpose of receiving comments
on the proposed introductory Local Law Amending Section 9-68 of the City of Poughkeepsie Code
Entitled "Solid Waste Collection Fees"*

IV. ADJOURNMENT:

The Public Hearing ended at 6:26pm.

Dated: November 30, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on November 21, 2022.

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**